

REMARKS

Claims 1-28 were pending, with claims 13-16 withdrawn. Applicant thanks the Examiner for the suggested amendments to claim 1. In response, Applicant has added new claim 29 to incorporate the Examiner's suggestion, and amended the specification accordingly. Claims 13-16 have been canceled without prejudice in response to a restriction requirement. Therefore, claims 1-12 and 17-29 are now pending.

The Examiner has rejected claims 1-5, 7-12, 17-21, and 23-28 under 35 U.S.C. §102 as being allegedly anticipated by U.S. Patent No. 4,488,206 to Mizusawa, and claims 6 and 22 under 35 U.S.C. §103 as being allegedly unpatentable over Mizusawa in view of Applicant's admitted prior art (Figures 1 and 2). In addition, the Examiner has objected to claims 17, 25, and 27 due to informalities. In response, Applicants have amended claims 17, 25, and 27 to overcome the Examiner's objections. No new matter has been added. Applicant respectfully requests reconsideration of the rejected claims in view of the following remarks.

CLAIM OBJECTIONS

Claims 17, 25 and 27 were objected to for reciting numerous elements ambiguously as containing both positive structure and functional structure. In response, Applicant has amended claims 17, 25, and 27 to overcome the Examiner's objections. These amendments are being made as a procedural matter and in no way change or limit the scope of the claims as originally filed. Accordingly, Applicant requests withdrawal of the objections.

CLAIM REJECTIONS – 35 U.S.C. § 102

Claims 1-5, 7-12, 17-21 and 23-28 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,488,206 to Mizusawa. Applicant respectfully traverses the rejection.

Claims 1 and 17

Independent claim 1 is directed to a plug that inserts into an opening in the wall of a hollow post. The plug encloses the opening and secures a wire harness that runs within the hollow post. The plug includes at least two locks projecting from the surface of the plug. The locks resiliently engage an edge of the opening and align the plug along a first axis. The plug further includes at least two tensioners and at least one stabilizer projecting from the surface of the plug. The tensioners resiliently engage an edge of the opening and align the plug along a second axis. The stabilizer resiliently engages the wall of the hollow post "exerting tension within the plug along a third axis."

Similarly, independent claim 17 is directed to a pillar shield for securing a wire harness running within a pillar. The pillar shield includes at least two clips, at least two tensioners, and at least two stabilizers, each projecting out from the body of the pillar shield. The clips align the pillar shield within the opening of the pillar along a first axis. The tensioners are resiliently compressed by an edge of the opening aligning the pillar shield along a second axis. The stabilizers are resiliently compressed by the wall of the pillar "generating tension, directed along a third axis, between said pillar shield and the wall of the pillar."

Contrary to the Examiner's assertions (Office Action, pages 4 and 6), the Mizusawa patent does not teach or suggest a stabilizer that exerts or generates tension along a third axis, as required by claims 1 and 17.

Rather, Mizusawa discloses a fixing structure for securing a lamp housing to a body panel of a vehicle. The fixing structure includes a plurality of plastic fastener members for securing the lamp housing into an opening of the vehicle body panel. The lamp housing is defined by a lamp case having a flange that extends outwardly from the edge of the lamp case.

The flange is designed to engage the body panel at the periphery edge of the opening. When the lamp housing is inserted into the body panel opening, a seal is provided between the flange, and the body panel. In rejecting claims 1 and 17, the Examiner contends that the seal, and the axis between the body panel and the lamp housing, teaches, "exerting tension within the plug along a third axis", as recited in claim 1. Applicant respectfully submits that the seal 12, as shown in Figure 3 of Mizusawa, is wholly unrelated to a "stabilizer" that exerts a "tension within the plug along a third axis." For example, Mizusawa states that "the seal packing 12 is *nipped* with moderate pressure between the flange 4 and the body panel 5." (See Mizusawa, col. 6 lines 1-3; *Emphasis Added*). Clearly, the "nipping" of a seal between a flange and a body panel does not exert a tension along a third axis (in this case the axis between the body panel and the lamp housing), as alleged by the Examiner. For at least this reason, claims 1 and 17 are not anticipated by the Mizusawa patent and are in condition for allowance. Similarly, dependent claims 2-12 and 18-24 are also in condition for allowance, for at least the same reason. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 17, 25, and 27

Independent claims 17, 25, and 27 are directed to a pillar shield for securing a wire harness running within a pillar. The pillar shield has "a generally planar shaped body" designed to close the opening in the wall of the pillar. The lamp housing disclosed in Mizasawa does not have a generally planar shaped body, as required by claims 17, 25, and 27.

Mizasawa describes the lamp housing as having "a lamp case 2 and a transparent cover 7 in the front side." In addition, Figure 3 of Mizasawa clearly shows that the lamp housing is a non-planar structure. Therefore, the lamp housing of Mizasawa cannot possibly anticipate claims 17, 25, and 27, which require "a generally planar shaped body."

It is well settled that to anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Further, the identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989), *Emphasis Added*. In this case, Mizusawa clearly does not teach a pillar shield having a generally planar shaped body, as required by the rejected claims. Consequently, independent claims 17, 25, and 27, and their dependent claims 18-24, 26, and 28, are patentable over the cited art and in condition for allowance. Accordingly, Applicant respectfully requests withdrawal of the rejection.

CLAIM REJECTIONS – 35 U.S.C. § 103

Claims 6 and 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,488,206 to Mizusawa in view of Applicant's admitted prior art (Figures 1 and 2). Applicant respectfully traverses the rejection.

Claims 6 and 22, which depend from independent claims 1 and 17, respectfully, further define the plug (claim 1) and the pillar shield (claim 22) as a "one-piece monolithic structure." In addition to being patentable as depending on an allowable base claim, claims 6 and 22 are separately patentable because the Examiner has failed to establish a prima facie case of obviousness with respect the Mizusawa patent, and Applicant's Figures 1 and 2. Prima facie obviousness requires a "showing of some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references." *In re Fritch*, 972 F.2d 1260, 1265 (Fed. Cir. 1992). In this

case, there is no teaching or suggestion in Mizasawa to construct the lamp housing as a one-piece structure. In fact, the Mizasawa patent and Figures 1 and 2 are incompatible. The lamp housing includes a lamp case, which inherently houses a lamp. Indeed, the lamp housing would be incapable of housing a lamp if it was a one-piece structure. Therefore, for any of these reasons, dependent claims 6 and 22 are in condition for allowance. Applicant respectfully requests reconsideration and withdrawal of the rejection.

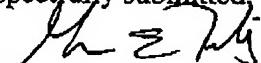
CONCLUSION

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance and such action towards these ends is respectfully requested.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 65783-0029 from which the undersigned is authorized to draw.

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Respectfully submitted,

By 

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